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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,676	11/18/2003	Charles H. Williams	1265-001	4542

1009 7590 12/14/2004

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EXAMINER

GRILES, BETHANY L

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/715,676

Applicant(s)

WILLIAMS, CHARLES H.

Examiner

Bethany L. Griles

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Applicant's arguments filed 9/13/04 regarding claims 1-15 have been fully considered but they are not persuasive. Specifically, the Examiner asserts that the cited art of Lin does have a base which could be adapted to be secured to an auxiliary structure during use with the base positioned in a plane defined by the base. The structure defined by Lin is capable of being tied, welded or attached by any number of means to an auxiliary structure.

The rejection of claims 1-15 stands.

Applicant's arguments, see amendment, filed 9/13/04, with respect to claims 16-20 have been fully considered and are persuasive. The rejection of claims 16-20 has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 9-15 rejected under 35 U.S.C. 102(b) as being anticipated by Lin US6082757.

1. Claims 1-6, 9-16, 19, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin US 6082757.

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2. Regarding claims 1 and 6, Lin discloses a base 11, an accessory support 12 including a plurality of accessory stations 122, 129 wherein an accessory support 12 collapsibly attaches to said base 11 for movement of said accessory support 12 from a collapsed to an operational position.
3. Regarding claim 2, Lin discloses base 11 includes first and second generally opposed members 11, 101.
4. Regarding claim 3, Lin discloses the base 11 includes at least one transverse member 121 connected to the first and second members.
5. Regarding claim 4, Lin discloses at least one part of the transverse member 121 includes a brace (see element connecting 121 to 11) for securing said base 11.
6. Regarding claim 5, Lin discloses the base 11 comprises a generally rectangular frame wherein first and second generally opposed members 11, 101 extend in a direction generally transverse to a longitudinal axis of the accessory support, and first and second transverse members extend in a direction generally perpendicular to the first and second members (see fig 1).
7. Regarding claim 9, Lin discloses the accessory support 12 attaches to the base via at least one hinge (at intersection of elements 141).
8. Regarding claim 10, Lin discloses the first and second members extend beyond a point of intersection 141 of said accessory support with said base.
9. Regarding claim 11, Lin discloses at least one of said accessory stations includes a fishing rod receptacle 122, 132.

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10. Regarding claim 12, Lin discloses the fishing rod receptacle includes an aperture 132 for receiving a fishing rod handle; a support region for supporting a shaft 122, and a channel (existing between elements 122 and 132).

11. Regarding claim 13, Lin discloses the fishing rod receptacle 122, 132 adjustably attaches to the transverse support 12 via a fastener 112 extending through the channel.

12. Regarding claim 14, Lin discloses the fastener is a bolt 112 and the transverse support 12 includes at least one aperture for receiving said bolt 112 (see figure 4).

Regarding claim 15, since Lin discloses that the rod receptacle 122 attaches to the transverse support 12 via a bolt, this configuration and method of attachment would inherently allow for multiple axis of adjustability for the receptacle.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Watford et al. US 6341443.

15. Regarding claims 7, 8, Lin does not disclose that the first and second support and transverse support are adjustable in length.

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16. Watford et al. disclose a rod support in which the member is both transverse and the support member 30 is adjustable in length (col 3, lines 40-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Watford et al. of an adjustable length transverse support member to the invention of Lin in order to adjust the height of the structure according to the height of the user, or to accommodate different sizes of rods.

***Allowable Subject Matter***

Claims 16-20 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or fairly disclose a fishing accessory in which the brace portion fits around the pedestal of the seat of a boat.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within


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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bethany L. Griles whose telephone number is 703.305.1839. The examiner can normally be reached on Monday through Friday 8:00 am - 4:30 pm.

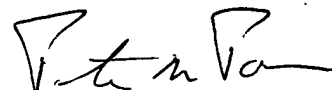
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 703.308.2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Bethany L. Griles  
Examiner  
Art Unit 3643

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blg

A handwritten signature in black ink, appearing to read "Peter M. Poon".

Peter M. Poon  
Supervisory Patent Examiner  
Technology Center 3600

12/9/04